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May 22, 2015

Via ECF

Hon. Laura Taylor Swain, U.S.D.J
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 12D
New York, NY 10007-1312

Re: Castro *et al* v. 3920 BWY Rest. Inc. *et al*
Docket No.: 14-Civ-9788 (LTS)

Your Honor:

I am the attorney for the Plaintiffs in the above-referenced action. Plaintiffs filed this action for minimum wage and overtime compensation, liquidated damages, and attorneys' fees owed pursuant to the Fair Labor Standards Act, 29 USC §§ 201 *et seq.* ("FLSA") as well as Articles 6 & 19 of the New York Labor Law ("NYLL"). Plaintiffs have further alleged tip misappropriation, spread of hours violations under the NYLL and violations of the substantive contract law of the state of New York.

I write to respectfully request that the Court adjourn the upcoming initial pre-trial conference currently scheduled for May 29, 2015, at 10:15AM. There has been one previous request to adjourn this conference. I am requesting this adjournment because no attorney has filed a notice of appearance in this matter and I have not received any communication from an attorney or the Defendants in this action.

Further, pursuant Section A(2)(d) of Your Honor's Individual Rules of Practice I am advising the Court of the Plaintiffs' desire to seek a default judgment in this matter. Kindly advise if the Court requires any specific submissions with the Plaintiff's default motion.

Respectfully submitted,
Law Offices of William Cafaro

/s/Amit Kumar
Amit Kumar (AK0822)
Attorneys for the Plaintiffs

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Docket No.: 14-Civ-9788 (LTS)

cc:

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